REMARKS

Claims 1-12 are pending in the present application. New claims 9, 10, 11, and 12 have been added by way of this amendment.

The Examiner has rejected claims 1-8 under 35 U.S.C. § 103(a) as being unpatentable over Ould-Brahim et al., "BGP/GMPLS Optical VPNs" (hereinafter "Ould-Brahim 1") in view of Ould-Brahim et al., "GVPN: Generalized Provider-provisioned Port-based VPNs using BGP and GMPLS" (hereinafter "Ould-Brahim 2"). The Applicant respectfully disagrees.

To establish that any claim is obvious, the Examiner must identify: 1) all of the claimed elements in the prior art; 2) a reason or motivation to combine these elements to arrive at the claimed invention; and 3) a reasonable likelihood of success (see M.P.E.P. 2141).

The independent network claim (claim 1) has been amended to incorporate a limitation present in the independent method claim (claim 5).

Claim 1, as amended, requires that the claimed network use a signalling mechanism to create generalized pseudo-wire connectivity between elements. It is submitted that neither Ould-Brahim 1 nor Ould-Brahim 2 disclose a signalling mechanism used to create generalized pseudo-wire connectivity between elements. Support for this amendment, and new claims 10 and 11, may be found in paragraph [0067] of the published application. Generalized pseudo-wire connectivity helps to distinguish claim 1 from Ould-Brahim 1 and Ould-Brahim 2 in that the network architecture involves a generalized provider

network, rather than the GMPLS-based of the inventor's previous work.

Since neither Ould-Brahim 1, nor Ould-Brahim 2, nor a combination of Ould-Brahim 1 and Ould-Brahim 2 disclose the use of a signalling mechanism to create pseudo-wire connectivity between elements, the combination of Ould-Brahim 1 and Ould-Brahim 2 may not be used to reject claim 1 as obvious. It is respectfully requested that the Examiner withdraw the rejection of claim 1, and the rejection of claims 2, 3 and 4 dependent thereon, on that basis.

The preamble in claims 2, 3 and 4 has been amended to match the preamble in amended claim 1.

Claim 5 requires creation of generalized pseudo-wire connectivity between elements within a subset of elements. It is submitted that neither Ould-Brahim 1 nor Ould-Brahim 2 disclose a signalling mechanism used to create generalized pseudo-wire connectivity between elements.

Since neither Ould-Brahim 1, nor Ould-Brahim 2, nor a combination of Ould-Brahim 1 and Ould-Brahim 2 disclose the creation of generalized pseudo-wire connectivity between elements, the combination of Ould-Brahim 1 and Ould-Brahim 2 may not be used to reject claim 5 as obvious. It is respectfully requested that the Examiner withdraw the rejection of claim 5, and the rejection of claims 6, 7 and 8 dependent thereon, on that basis.

The preamble in claims 6, 7 and 8 has been amended to remove reference to "steps".

In view of the foregoing, the applicant respectfully submits that

claims 1-12 are now in condition for allowance. Favorable reconsideration and

allowance of claims 1-12 are respectfully requested.

Respectfully Submitted,

Nortel Networks Limited

By: _____

Colin C. Climie, Regn. No. 56,036

Place: Toronto, Ontario, Canada
Date: September 17, 2007
Tele No.: 416-868-1482